

28

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

BALSHE LLC and THE SIMON LAW FIRM,

Plaintiffs,

v.

ALAN J. ROSS and SAVE ASSOCIATES,

Defendants.

Case No. 08-CV-3256

Judge James B. Zagel

Magistrate Judge Susan E. Cox

**TEMPORARY RESTRAINING ORDER**

This cause coming before the Court on Plaintiffs' Motion for Preliminary Restraining Order, due notice having been given, the parties having appeared, and the Court being fully advised in the premises,

IT IS HEREBY ORDERED THAT:

- A. Defendants are temporarily restrained and enjoined from in any manner transferring, pledging, disposing of or otherwise encumbering any interest in United States Patent No. 5,974,390;
- B. Defendants are temporarily restrained and enjoined from disseminating in any manner any information disclosed by Plaintiffs, or anyone acting on their behalf, pursuant to the Non-Disclosure Agreement including, without limitation, Plaintiffs' business plan to utilize United States Patent No. 5,974,390, as described by: (a) David Simon during his testimony in this Court's June 18, 2008 hearing; and (b) Plaintiffs' Exhibit 9A, which is attached hereto under seal.
- C. Defendants are temporarily restrained and enjoined from causing or allowing<sup>1</sup> any right held by Defendants in United States Patent No. 5,974,390 to lapse or expire;
- D. Plaintiffs shall immediately post a bond in the amount of \$25,000 for the duration of this Temporary Restraining Order; and

---

<sup>1</sup>For purposes here, "causing or allowing" shall mean Defendants are restrained from taking any affirmative action that would permit their rights in the '390 patent to lapse or expire. It does not include events which are beyond Defendants' control that may cause those rights to lapse or expire.

- E. This Temporary Restraining Order shall expire upon further order of the Court, but in no event later than 11:59 p.m. Central Daylight Time on July 3, 2008.

ENTERED: 6-20-2008

  
HONORABLE JAMES B. ZAGEL

United States District Court Judge